

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 26 are presently active in this case, Claim 1 having been amended by way of the present amendment. Claims 4-25 have been canceled without prejudice or disclaimer.

The Applicants wish to thank Examiner Thuy v. Tran for the courtesies extended to Applicants' representative, Christopher Ward, during the personal interview conducted on September 16, 2003.

During the interview, the Applicants' representative presented Calculation Model including a sample calculation that explained that most of the load acting on a rail supported in the manner depicted in Figure 1 of the Calculation Model was supported by the brackets (each supported 47% of the load), while the rail supported by the ground only supported 6% of the load. Thus, the Applicants submit that the load borne by the brackets is substantial and should not be discounted. Therefore, the Applicants request the withdrawal of the rejection of Claims 1-3 and 26 under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention.

During the interview, Examiner Thuy v. Tran indicated that it appeared that the Calculation Model provided an explanation that overcomes the rejection under 35 U.S.C. 112, first paragraph, however the Examiner needed more time to thoroughly study the Calculation Model. The Applicants respectfully submit that the Calculation Model clarifies that the load borne by the brackets is substantial, and thus substantial forces are present at the

junction of the rail and the brackets and at the junction between the plates and the shaft wall. Thus, the perceived problems discussed on pages 2-3 of the Official Action with respect to the 35 U.S.C. 112, first paragraph, rejection have been addressed.

Claims 1-3 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (U.S. Patent No. 6,012,554) in view of one of Rousseau (U.S. Patent No. 4,593,794), Ericson et al. (U.S. Patent No. 4,848,519), and Koeppel, Jr. et al. (U.S. Patent No. 5,950,770). For the reasons discussed below, the Applicants traverse the obviousness rejections.

The Applicants submit that a *prima facie* case of obviousness cannot be established in the present case because the cited references, either taken singularly or in combination, do not teach all of the limitations recited in Claim 1 of the present application. (See MPEP 2143.)

Claim 1 recites at least one rail support member of the plurality of rail support members that includes a U-shaped member having substantially parallel leg members each having a first end attached to the at least one plate and a second end attached to a base member, where the base member is connected to the guide rail. The specification depicts and describes a non-limiting embodiment of such a support member, for example, as depicted in Figure 3(b) as indicated by reference numeral 1. The Applicants submit that the cited references do not teach the at least one rail support member having the features recited in Claim 1.

The Official Action cites the Ito et al. reference for the teaching of all of the claimed limitations except for how the support members are secured to the wall of the elevator shaft. The Ito et al. reference describes a rail bracket (18) that is attached to combined guide rail (15) and support piece (17). However, the rail bracket (18) does not include a U-shaped member having substantially parallel leg members each having a first end attached to support

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piece (17) and a second end attached to a base member, where the base member is connected to the combined guide rail (15).

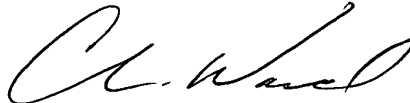
Furthermore, the Rousseau, Ericson et al., and Koeppel, Jr. et al. references also do not disclose at least one rail support member that includes a U-shaped member having substantially parallel leg members each having a first end attached to a plate and a second end attached to a base member, where the base member is connected to a guide rail. Accordingly, since none of the cited references, either when taken singularly or in combination, teach all of the limitations recited in Claim 1 of the present application, then the Applicants submit that the cited reference do not render Claim 1 obvious.

Accordingly, the Applicants respectfully request the withdrawal of the obviousness rejections of Claim 1.

Claims 2, 3, and 26 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 1.

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